

73049-470

04/16/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Nasser Assaf, Ph.D.
Valent BioSciences
870 Technology Way, Suite 100
Libertyville, IL 60048

APR 16 2013

Dear Dr. Assaf:

Subject: Amendment- revised Confidential Statement of Formula (CSF) and label to maintain compliance with percent active of 100% repack (EPA Registration Number 279-3292)
Cyper- Active F98.5%
EPA Registration Number 73049-463
Your submission dated March 27, 2013

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable.

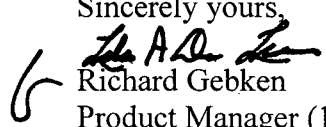
A copy of the label is enclosed for your records.

Your basic Confidential Statement of Formula (CSF) dated March 27, 2013 has been reviewed and is acceptable. It supersedes your previously accepted basic CSF.

The new product name is Cyper- Active F98.5%.

If you have any questions regarding this action, please contact Linda A. DeLuise of my team at (703) 305-5428.

Sincerely yours,


Richard Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7505P)

Enclosure

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CYPER-ACTIVE® F98.5• *For The Formulation Of Insecticides Only***ACTIVE INGREDIENT:**

Cypermethrin* 94.0 98.5 %

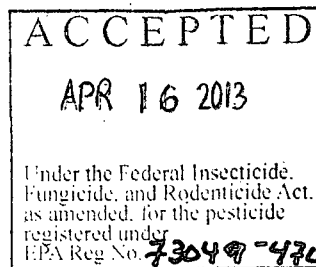
OTHER INGREDIENTS: -6.0 1.5 %
100.0 %*Cis/trans isomer ratio: Max 55% (+/-) *cis* and Min. 45% (+/-) *trans***PRECAUCION AL CONSUMIDOR:** Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.**(TO THE USER:** If you cannot read English, do not use this product until the label has been fully explained to you.)EPA Reg. No. 73049-470
Item No.

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN**WARNING**

See Side Panel For Additional Precautionary Statements

FIRST AID	
If Swallowed:	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If Inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on Skin or Clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in Eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-877-315-9819	
Note to Physician	
Reversible skin sensation (paresthesia) may occur and ordinary skin salves have been found useful in reducing discomfort. Treatment is otherwise controlled removal of exposure followed by symptomatic and supportive care.	

NET CONTENTS:

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PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

WARNING

May be fatal if swallowed. Harmful if absorbed through the skin. Harmful if inhaled. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Environmental Hazards

This pesticide is toxic to fish and other aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. Do not contaminate water when disposing of equipment wash-waters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

This product must not be formulated into end-use products that contain directions for use on sod farms, agricultural uncultivated areas, fencerows, hedgerows, or rights-of-way. These use sites must be removed from all end-use product labels and any special need registration must be canceled.

This product must not be formulated into wettable powder end use formulation unless they are packaged in water soluble bags.

This product must not be formulated into end-use products that contain directions for use on both agricultural crops and for other uses, such as in and around residential, commercial and industrial sites or on farm animals.

This product may only be formulated into end-use products that with directions for use for agricultural crops (WPS) uses only or end-use products with directions for use for non-agricultural-crop (Non-WPS) uses only.

This Material Requires Further Mixing Before Use

Only for formulation into an insecticide for the following uses(s):

Indoor, Nonfood/feed areas only: Wood and wood structure protection (against termites, beetles, etc.) and general insect pest control in buildings, structures, transports and their immediate surroundings, including but not limited to agricultural, industrial and commercial buildings, houses, apartment buildings, laboratories, buses and non-food/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (cargo areas only), schools, nursing homes, hospitals (non-patient areas), restaurants, hotels, food manufacturing, processing and servicing establishments, interiorscapes, and landscapes in interior gardens.

- Do not use in warehouses where raw or cured tobacco is stored.
- Do not use in warehouses while raw agricultural commodities for food or feed are stored

Do not use in the food/feed areas of food/feed handling establishments, restaurants, or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where foods are served such as dining rooms but excluding areas where food may be prepared or held. Non-food/feed areas of food/feed handling establishments where the product can be applied include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms machine rooms, boiler rooms, mop closets and storage areas (after canning or bottling).

Food Handling Establishments: Places other than private residences in which food is held, processed, prepared or served.

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Non-food areas: Permitted areas of use include industrial buildings, houses, apartment buildings, laboratories, buses, and the nonfood/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (cargo areas only), schools, nursing homes, hospitals, restaurants, hotels, food manufacturing, processing and service establishments. Permitted nonfood/feed areas such as garbage rooms, lavatories, floor drains (to servers), entries and vestibules offices, locker rooms, machine rooms, garages, mop closets and storage (after canning or bottling). All areas where insects hide or through which insects may enter should be treated.

Terrestrial Outdoor, Non-food Uses: Ornamentals including non-bearing fruit and nut trees grown for ornamental purpose, evergreens, ornamental trees shrubs, vines, ground covers, lawn and turf grass grown around industrial and commercial buildings, private homes, duplexes, town homes, condominiums, house trailers, apartment complexes, carports, garages, sports fields, and complexes. Tennis courts, fence lines, storage sheds, barns, and their structures (fences, posts, slabs, crawlspaces, foundations, porches, window frames, eaves, patios, garages) and refuse dumps.

Greenhouse, Non-food uses: Indoor and outdoor (shade house) grown floral and foliage plants.

Domestic Indoor/Outdoor (non-commercial homeowners) Uses: Indoor and outdoor (shade house) grown floral and foliage plants (non-food uses).

Terrestrial Food:

Brassica vegetables, head and stem
Brassica vegetables, leafy greens
Bulb vegetables (allium spp)
Cotton
Lettuce (head)
Pecans

Domestic Outdoor – Wood or Wood Structure Protection Treatments

General outdoor insect control (non-food Uses)

Domestic Farm Animals: Cattle, Horses

STORAGE AND DISPOSAL

Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal. Open dumping is prohibited.

Pesticide Storage: Store in a cool, dry place and avoid excess heat. Do not store near food or feed. Carefully open containers. After partial use, replace lids and close tightly. Keep container closed when not in use.

In case of spill or leak on floor or paved surfaces avoid contact, isolate area and keep out animals and unprotected persons. If liquid, dike surrounding area or absorb with sand, earth or synthetic absorbent. If dry, cover to prevent dispersal. Remove to chemical waste area. Place damaged package in holding container. Identify contents.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the hazardous waste representative of the nearest EPA Regional Office for Guidance.

Container Disposal: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by State and local authorities.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Valent BioSciences Corporation. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, VALENT BIOSCIENCES CORPORATION MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Valent BioSciences Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Valent BioSciences Corporation disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT VALENT BIOSCIENCES CORPORATION'S ELECTION, THE REPLACEMENT OF PRODUCT.

[Alternate warranty statement]

[Note to user: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, seller shall have no liability for consequential damages.]

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Cyper-Active is a registered trademark of Valent BioSciences Corporation.

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Environmental Science Division
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List No.